

ZONING TEXT AMENDMENT ANALYSIS

March 25, 2009

ZT-2-2009

Major Home Occupation for feeder animal breeding Skye Rees

The following application was continued from the February 25, 2009 meeting to allow time for staff to research and draft a more formal ordinance.

This is a proposed amendment to Section 7-8-103 of the West Valley City Municipal Code relating to major home occupations.

The applicant, Mr. Rees operates a rat breeding facility out of his garage and an accessory building on his property, which is located in an R-1-8 zone. Currently, animal breeding facilities are only allowed in the agricultural zone, on property with at least one-acre, and they are reviewed as a conditional use. Mr. Rees was made aware of this restriction and has submitted this application to amend the West Valley City Municipal Code to allow for a rat breeding facility in a residential zone. The amendment also proposes to allow for the business to be conducted within a garage and/or accessory building which is currently prohibited.

Mr. Rees submitted a draft ordinance with several conditions that he felt would apply to this use. Staff has contacted the USDA, the Salt Lake Valley Health Department, The UT Humane Society, and WVC Animal Control and received some guidelines and suggestions from these agencies to expand on the draft submitted by Mr. Rees.

The proposed ordinance is as follows:

Section 7-8-103 MAJOR HOME OCCUPATION STANDARDS

Major home occupations are defined as home occupations which meet the standards listed in Section 7-8-102 above, except as specifically modified by the Planning Commission as provided herein. The Planning Commission may allow as a conditional use increases in intensity of a home occupation, as follows:

(4) Feeder Animal Breeding under the following conditions:

- (a) The use must be located within a fully enclosed structure and may not be located in a carport, patio, breezeway, or any part of the yard space.
- (b) The space occupied by this use shall be secured and dedicated only to this use and shall not be shared with any other use or activity unless specifically approved by the Planning Commission and the West Valley City Animal Control Division.

- (c) If located within an accessory building or garage, the building shall conform to all West Valley City Codes, including but not limited to the required setbacks for the zone the use is located within and all building code regulations.
- (d) This use shall not displace the minimum required parking for the residence.
- (e) There shall be no sounds, odors or other signs of animals detected outside of the facility.
- (f) Subject to at least one annual inspection from the West Valley City Animal Control Department.
- (g) Must meet the requirements of all effected agencies, including but not limited to the West Valley City Animal Control Department, Salt Lake Valley Health Department and the Humane Society of UT.
- (h) Additional conditions shall be applied to this use as part of the Major Home Occupation review by the Planning Commission for the specific animal being bred.

The following definition is also be proposed:

Feeder Animal Breeding: Commercially breeding and raising an animal, insect, amphibian, etc. as a food source for another animal, insect, amphibian, etc.

Staff Alternatives:

1. **Denial**, as this is not an appropriate use in a residential zone.
2. **Continuance**, to provide time for staff to research and draft a more formal ordinance for review.
3. **Approval**, of the ordinance as listed above.